

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

In re Application of: Chih-Ming CHEN, et al.  
Serial No.: 10/603,254  
Filed: June 25, 2003  
For: **HMG-COA REDUCTASE INHIBITOR EXTENDED RELEASE FORMULATION**

Sir:

Transmitted herewith is a **Supplemental Response** in the above-identified application.

- ☐ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.  
☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.  
☒ No fee for additional claims is required.  
☐ A filing fee for additional claims calculated as shown below, is required:

FOR:	(Col. 1)	(Col. 2)		SMALL ENTITY		OR	LARGE ENTITY	
	REMAINING	HIGHEST		RATE	FEE		RATE	FEE
	AFTER	PREVIOUSLY	PRESENT					
	AMENDMENT	PAID FOR	EXTRA					
TOTAL CLAIMS	* Minus**	=	0	x \$ 9	\$		x \$ 18	\$
INDEP. CLAIMS	* Minus***	=	0	x \$ 42	\$		x \$ 84	\$
[ ] FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$140	\$		+ \$280	\$

TOTAL: \$ OR TOTAL: \$

- \* If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

☒ Also transmitted herewith are:

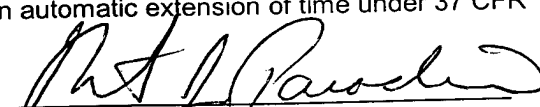
- ☐ Petition for Two (2) Month Extension under 37 C.F.R. 1.136  
☒ Other: Terminal Disclaimer to Obviate a Provisional Double Patenting  
 Rejection Over a Pending "Reference" Application

☒ Check(s) in the amount of \$130.00 is/are attached to cover:

- ☐ Filing fee for additional claims under 37 C.F.R. 1.16  
☐ Petition fee for Two (2) Month Extension under 37 C.F.R. 1.136  
☒ Other: Terminal Disclaimer

☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.

- ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.  
☒ Any patent application processing fees under 37 C.F.R. 1.17.  
☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

  
 Robert J. Paradiso, Reg. No. 41,240  
 DAVIDSON, DAVIDSON & KAPPEL, LLC  
 485 Seventh Avenue, 14<sup>th</sup> Floor  
 New York, New York 10018  
 Tel: (212) 736-1940  
 Fax: (212) 736-2427

I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with sufficient postage to the United States Postal Service as "first class mail" in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on February 11, 2005.  
 DAVIDSON, DAVIDSON & KAPPEL, LLC

BY:   
 Guendoline Decosta